



Transcript of **Demone Lee**

Tuesday, July 5, 2022

Cathy Carter v. Paul Howard

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Reference Number: 118469

PAUL HOWARD, IN HIS INDIVIDUAL)
6 AND OFFICIAL CAPACITY,)
)
7 Defendants.)

9 DEPOSITION OF:

10 DEMONE LEE

11 Being taken pursuant to stipulations herein:

12 Before Debbie C. Hennings, CCR, RPR

13 Tuesday, July 5, 2022

14 Commencing at 2:32 p.m.

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24

25 Job No. 118469

All parties, including the court reporter, appeared remotely.

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1 A P P E A R A N C E S
2 ON BEHALF OF THE PLAINTIFF:
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18 * * *
19 (Pursuant to O.C.G.A. Section 9
20 (d) and Section 15-14-37(a), (b) and
21 reporter disclosure statement is ten
22 end of the transcript.)
23 * * *
24
25

1 COURT REPORTER: If I could have counsel stipulate
2 on the record that there is no objection to the court
3 reporter swearing in the witness remotely.

4 MR. WILLIAMS: No objection from the plaintiff.

5 MR. GREEN: No objection.

6 DEMONE LEE,

7 being first duly sworn, was examined and testified as
8 follows:

9 EXAMINATION

10 BY MR. WILLIAMS:

11 Q. How ya doing, Attorney Lee? If you could just
12 say your full name for the record, I would appreciate
13 it.

14 A. Yes, sir. DeMone Lee.

15 Q. And how do you spell DeMone?

16 A. D-E-M-O-N-E.

17 Q. And then Lee, L-E-E?

18 A. Yes, sir.

19 MR. WILLIAMS: This will be the deposition of
20 DeMone Lee, for all permissible and allowable
21 purposes under federal law and other law that
22 governs this deposition.

23 BY MR. WILLIAMS:

24 Q. Mr. Lee, my understanding is you are an attorney,
25 correct?

1 A. That's correct.

2 Q. So I'm going to kind of skip the whole rules
3 of engagement, as they say, and kind of get to the point
4 with you.

5 A. Yes, sir.

6 Q. I'm going to orient you to something and then
7 I'll just ask a few questions and I'll turn it over to
8 my colleague and try to get you out of here.

9 This is case in which Cathy Carter has filed a
10 lawsuit against Paul Howard making various allegations.

11 One of the issues is your -- that the
12 plaintiff believes is an issue that could be relevant in
13 this case, depending on how the facts shake out, is your
14 representation of one of Cathy Carter's sons. His name
15 is Gabriel Miller. Are you familiar with Gabriel
16 Miller?

17 A. I am.

18 Q. And so I'm going to ask you just some
19 questions about your background, when you worked with
20 the district attorney's office and when you went into
21 private practice, get a few questions about your
22 representation of Mr. Miller and move on.

23 A. Okay.

24 Q. Did you work for the Fulton County District
25 Attorney's Office?

1 A. Yes.

2 Q. What years did you work with the Fulton County
3 District Attorney's Office?

4 A. I believe it was 2011 to 2016.

5 Q. At the time that you worked for the Fulton
6 County District Attorney's office from 2011 to 2016, was
7 Paul Howard the Fulton County district attorney?

8 A. Yes.

9 Q. Did you report directly to Paul Howard?

10 A. There -- that wasn't necessarily the command
11 structure, but ultimately he was the one with the last
12 say-so, yes.

13 Q. When you were brought on in 2011, what was
14 your actual title while working at the district
15 attorney's office?

16 A. I was a senior assistant district attorney.

17 Q. And did that title ever change from 2011 to
18 2016?

19 A. Yes.

20 Q. Okay. Did --

21 A. Go ahead, I'm sorry.

22 Q. No, go ahead and explain when it changed.

23 A. I can't recall exactly when, probably around
24 the three-year mark, the third-year mark of my tenure,
25 it changed from senior assistant district attorney to

1 chief senior assistant district attorney.

2 Q. And did it stay as chief senior assistant
3 district attorney through the time 2016?

4 A. To my understanding, yes. Now, the county may
5 have had me titled as deputy district attorney, but I
6 don't know that my role coincided with that per se.

7 Q. Okay. And during your tenure as a lawyer at
8 the Fulton County district attorney's office, did you
9 come into frequent contact with Paul Howard in his role
10 as the district attorney?

11 A. There were -- initially when I started out at
12 the trial division level, it was rare that I had contact
13 with Mr. Howard.

14 As my role responsibilities as it relates to
15 the severity of cases changed, I began to directly
16 report to him more frequently.

17 For example, when I was in the Crimes Against
18 Women and Children Division, we would have more frequent
19 meetings, myself and my direct supervisor, with
20 Mr. Howard.

21 And the same when I was in the Major Case
22 Unit, same level of frequent contact. Oftentimes, more
23 often than not, it's with a supervisor and Mr. Howard.

24 And then in the Public Integrity Unit I can't
25 even think of a time that I met with him without the

1 direct supervisor. So there was always meetings amongst
2 us all with Mr. Howard in these three units in
3 particular.

4 Q. Okay. Now, after you left the district
5 attorney's office in 2016, what type of professional
6 career did you pursue?

7 A. I was a solo practitioner. So initially
8 speaking, I was pretty much taking everything that came
9 through the door. I was trying to build a practice.

10 Q. Okay. And what do you currently -- are you
11 currently a solo practitioner?

12 A. I am.

13 Q. Okay. Do you have any partners?

14 A. No.

15 Q. Okay. Now, I want to pull up --

16 MR. WILLIAMS: And do you, Madam Court
17 Reporter, do you have the DeMone Lee exhibits?

18 COURT REPORTER: Not handy right now but I can
19 get them. They have been emailed.

20 BY MR. WILLIAMS:

21 Q. I'm going to do a share screen. So right now
22 on the shared screen --

23 MR. WILLIAMS: Noah, do you see the shared
24 screen?

25 MR. GREEN: I do.

1 BY MR. WILLIAMS:

2 Q. DeMone, do you see the shared screen?

3 A. Yes.

4 Q. I want to ask you, do you know who Gabriel
5 Vonzell Miller is?

6 A. That's Cathy Carter's son.

7 Q. Yes. Have you ever represented him?

8 A. I have.

9 Q. Okay. And how did you first come -- who
10 contacted you about representing Gabriel Miller, the
11 very first time you represented him?

12 A. The very first time I represented him,
13 Mr. Howard contacted me and I took it as a referral to
14 build my practice.

15 Because there was -- I didn't have any contact
16 with Cathy Carter that I recall. All my contact was
17 with Gabriel Miller.

18 Q. Okay. And who paid you for that initial first
19 representation of him after Mr. Howard referred you?

20 A. Well, that's a sore spot because Gabriel
21 Miller signed an engagement, of which he did not pay me
22 fully for. I don't even know -- I can't even recall if
23 he made a payment, to be honest with you.

24 Q. Okay. Tell me to the best of your knowledge
25 the conversation that you had with Mr. Carter about the

1 referral of Gabriel Miller to you?

2 A. You said Mr. Carter?

3 Q. I mean Mr. Howard. Tell me how the
4 conversation you had with Paul Howard, about the
5 referral of Gabriel Miller to you for representation.

6 A. Sure. He just said, you know, hey, man, we
7 have -- you have a former colleague, Cathy Carter; her
8 son got in trouble and wanted to see if this is a case
9 that you want to take on, can help out.

10 I said yes, and I contacted Gabriel Miller. I
11 don't recall -- I see this disposition here. I don't
12 recall this being the case that I represented him for
13 initially.

14 There were a few cases. The case that I
15 remember initially representing him on was a petty theft
16 charge. It may not be petty theft, but it was a theft
17 charge -- theft by shoplifting.

18 This right here was a subsequent case. I do
19 recall this one. This was a subsequent case of which --
20 because he did not pay me for the first case, the theft
21 case, I really did not want to represent him for the
22 second case.

23 But Cathy Carter kept calling me and basically
24 trying to get me to step in and represent him. And I
25 really did not want to, but I ended up doing it at the

1 urging of some colleagues saying I needed to help out.

2 Q. Okay. What colleagues urged you to help out?

3 A. If I recall correctly, my friend Ernest
4 Nesmith and -- he's the only one I can think of,
5 actually, that did.

6 Q. Did Paul Howard urge to help out?

7 A. After I refused Cathy Carter's calls,
8 eventually he called me and said, hey, man, if you mind,
9 could you please help him out one more time.

10 Q. So this is the second case that you didn't
11 want to be involved in?

12 A. That's correct.

13 Q. Let me see if I can pull up the first one.
14 But you ended up representing him on this case that's
15 represented by Plaintiff's Exhibit No. 1? I'm going to
16 mark this as Plaintiff's Exhibit No. 1.

17 A. I did, I did. Cathy Carter was a handful to
18 the extent that she interfered with my representation
19 of him in this case, yeah.

20 (Plaintiff's Exhibit No. 1 marked.)

21 BY MR. WILLIAMS:

22 Q. We're going to get to that. Let me pull up
23 another one. I want to make sure I get a -- do you see
24 that on the shared screen?

25 A. Uh, that's the second case.

1 Q. That's the second case, okay. Might not have
2 that first petty theft case. It was a petty theft case,
3 right?

4 A. Yeah, Clayton County as well. And I say petty
5 theft. That's me kind of hearkening back to my days as
6 a prosecutor. I believe it was theft by shoplifting.

7 Q. Okay. Let me ask you this: At any time -- I
8 know you just testified that when you refused to get
9 involved in the second case, Paul actually called and
10 said, hey, man, can you do me a solid and get involved,
11 correct?

12 A. He didn't say, can you do me a solid. He
13 said, can you help out.

14 Q. Okay. And then after that you helped her out
15 again?

16 A. That's correct.

17 Q. Okay. Now, on -- at any time during any --
18 how many times have you represented Gabriel Miller in
19 total, different charges?

20 A. There were -- of record representation, there
21 were these two times, the family violence and the theft
22 by shoplifting.

23 There was an off-the-record representation of
24 him when he violated his probation, his DUI probation.
25 I don't recall if I filed a record of appearance on

1 that, but I do recall negotiating with the probation
2 officer to try to get it resolved.

3 I may have filed a record of appearance,
4 though, I can't recall, so possibly two.

5 Q. So the first time was theft by shoplifting,
6 second time was family, and the third time could have
7 been this off-the-record help with the DUI?

8 A. Correct.

9 Q. Were you paid for the off-the-record help with
10 the DUI?

11 A. No. Cathy Carter said that she would pay me
12 when I went to the jail to visit with her son. She was
13 in -- she was waiting in the intake area.

14 And she said, look, DeMone, I know Gabriel has
15 not paid you for the other representation; I'm going to
16 make sure you get paid. And I never received a dime
17 from her or him.

18 Q. Now, with the DUI probation violation, did you
19 ever receive a call from Paul Howard on that one?

20 A. I can't say that I did. I can't recall.

21 Q. So you may have or may not have?

22 A. May have, may not have. I can't recall.

23 Q. Okay. Now, at any time did Paul Howard ever
24 pay you money for the representation of Gabriel Miller?

25 A. Never.

1 Q. All right. Okay. Let me ask you something
2 about just in general. You were in the workplace. What
3 building were you in? Were you in the same building
4 that Paul Howard was in when you actually worked as an
5 attorney at the district attorney's office in Fulton
6 County?

7 A. Yes.

8 Q. Did you ever observe Paul Howard, based on
9 your understanding of what flirting means, flirting with
10 women?

11 A. No.

12 MR. GREEN: Object to the form.

13 BY MR. WILLIAMS:

14 Q. Okay. Did you ever know of him dating anyone
15 in the office?

16 A. No, with the caveat being this: I never knew
17 of him dating anyone, but I remember Cathy Carter -- I
18 remember there was an incident where I was being
19 complimented by my executive assistant and she was
20 saying that I was doing a good job. This was when I
21 first got to Major Case.

22 And Cathy Carter was standing with her. And
23 Cathy Carter chimed in and she said, DeMone, you know --
24 and I would know -- he really does thinks highly of you,
25 referring to Mr. Howard. He thinks very highly of you

1 and, believe you, I would know.

2 And I took that to mean that there was some
3 kind of pillow talk between her and Mr. Howard, but I
4 didn't know for certain.

5 Q. Okay.

6 MR. GREEN: Object to the responsiveness of
7 the answer.

8 BY MR. WILLIAMS:

9 Q. Did you yourself personally witness by sight
10 or sound what you would consider comments or actions
11 that have -- were sexual in nature from Mr. Howard
12 towards a female employee?

13 A. I have never seen Mr. Howard act in any way
14 flirtatious or in any way nonprofessional towards any
15 employee. I have never seen that.

16 Q. Okay. And you said -- I'm sorry, were you
17 located in the same building as him?

18 A. Yes.

19 Q. Okay. Okay. I want to just put on record --
20 I'm not going to ask you for -- to identify necessarily
21 these documents. I just want you to take a look at
22 this, DeMone. Do you see the shared screen?

23 A. Yes.

24 Q. Do you see it says, "Party name: Miller,
25 Gabriel Vonzell?"

1 A. Yes.

2 Q. And it says, "Defendant." And it says
3 attorney name, "Lee, DeMone"?

4 A. Yes.

5 Q. Would that Lee DeMone be you?

6 A. Yes.

7 Q. And then this -- do you see where it says
8 "Entry of Appearance?"

9 A. Yes.

10 Q. "State of Georgia v. Gabriel V. Miller?"

11 A. Yes.

12 Q. And then at the bottom it says DeMone Lee
13 with a signature. Would that signature be yours?

14 A. Yes.

15 MR. WILLIAMS: The court reporter, you did
16 mark that as Plaintiff's Exhibit No. 1, correct?

17 COURT REPORTER: I will. If you'll scroll to
18 the top and just let me make sure I know what it
19 is. Okay. That will be marked as Plaintiff's
20 Exhibit 1.

21 (Plaintiff's Exhibit No. 1 marked.)

22 MR. WILLIAMS: You can mark this as
23 Plaintiff's Exhibit 2.

24 (Plaintiff's Exhibit No. 2 marked.)

25 BY MR. WILLIAMS:

1 Q. Mr. Lee, do you see right there where it says
2 arraignment, the second page, arraignment?

3 A. Yes.

4 Q. And then it says Defendant and then it says
5 Defendant's Counsel. Is that your signature above
6 defendant's counsel?

7 A. Yes.

8 (Plaintiff's Exhibit No. 3 marked.)

9 BY MR. WILLIAMS:

10 Q. Okay. This is Plaintiff's Exhibit No. 3.
11 And then if you could take a look at this same thing.
12 It says Defendant, Defendant's Attorney. Where it says
13 Defendant's Attorney, is that your signature?

14 A. Yes.

15 MR. WILLIAMS: Okay. All right. And then,
16 Noah, if you have questions, go right ahead.

17 MR. GREEN: I don't have any. No questions.

18 BY MR. WILLIAMS:

19 Q. Attorney Lee, I apologize for even having to
20 depose you, but as you can see, I kept it brief and to
21 the point.

22 A. You did.

23 Q. I do appreciate you taking the time today.
24 Appreciate your honesty and frankness. If there is
25 anything that you would like to add, feel free. But if

1 not, we can conclude this deposition.

2 A. No, there is nothing I would like to add.

3 Q. All right. Thank you.

4 MR. GREEN: Thank you, Mr. Williams. It was
5 nice meeting you.

6 THE WITNESS: Same with you all. Take care.

7 COURT REPORTER: Noah, would you like a copy
8 of this transcript?

9 MR. GREEN: I don't, not right now.

10 THE WITNESS: And, Mr. Lee, are we going to
11 waive signature or reserve?

12 THE WITNESS: We'll waive.

13 COURT REPORTER: Thank you.

14 (Deposition concluded at 2:51 p.m.)

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1 DISCLOSURE

2 STATE OF GEORGIA:

3 COBB COUNTY:

4 DEPOSITION OF: DEMONE LEE

5 Pursuant to Article 10.B. of the Rules and

6 Regulations of the Board of Court Reporting of Judicial
7 Council of Georgia, I make the following disclosure:

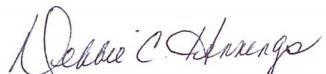
8 I am a Georgia Certified Court Reporter acting
9 as an agent of Trustpoint.One, who was contacted by the
10 offices of HDR Law Firm, to provide court reporting
11 services for this deposition. I will not be taking this
12 deposition under any contract that is prohibited by
13 O.C.G.A. 15-14-37 (a) and (b).

14 Trustpoint.One has no contract to provide
15 reporting services with any party to the case, and
16 counsel in the case, or any reporter or reporting agency
17 from whom a referral might have been made to cover this
18 deposition. Trustpoint.One will charge its usual and
19 customary rates to all parties in the case, and a
20 financial discount will not be given to any party to
21 this litigation.

22

23

24



25

_____, CCR# B-2007 DATE: 07/10/22

Debbie C. Hennings

1 CERTIFICATE

2

3 STATE OF GEORGIA:

4 COBB COUNTY:

5

6 I hereby certify that the foregoing transcript

7

8 was taken down, as stated in the caption, and the

9

10 questions and answers thereto were reduced to

11

12 typewriting under my direction; that the foregoing pages

13

14 1 through 21 represent a true and correct transcript of

15

16 the evidence given upon said hearing.

17

18 The witness did not reserve the right to read

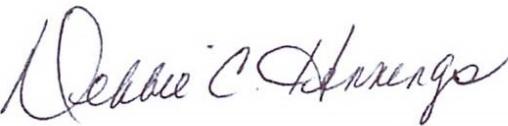
19

20 and sign the transcript.

21

22 This, the 8th day of July 2022.

23

24 

25 DEBBIE C. HENNINGS, CCR-B-2007

My commission expires the

26

1st day of April 2023

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